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PTO/SB/30 (5/2000)  
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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,  
provides for continued examination of an utility or plant application  
filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

Express Mail No	EV452772275US
Application Number	09/607,240
Filing Date	June 30, 2000
First Named Inventor	Doyle et al.
Group Art Unit	1644
Examiner Name	Patrick J. Nolan
Attorney Docket No.	11537-004-999

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

## I. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other \_\_\_\_\_

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## 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months.  
(Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other \_\_\_\_\_

## 3. Fees

- The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed
- The Director is hereby authorized to charge the following fees, or credit any overpayments, to Jones Day Deposit Account No. 50-3013:
- a. ☐
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e), estimated to be \$ 770.00
- ii. ☐ Extension of time fee required under 37 C.F.R. §§ 1.136 and 1.17, estimated to be \$ \_\_\_\_\_ for a \_\_\_\_\_ month extension, the request for which is being made herewith
- iii. ☐ Other \_\_\_\_\_
- b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Laura A. Coruzzi	Registration No. (Attorney/Agent)	30,742
Signature	Laura A. Coruzzi	Date	May 26, 2004

by Zleen E. Falvey CERTIFICATE OF MAILING OR TRANSMISSION Reg No. 46097

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Commissioner For Patents, P.O. Box 1450, Mail Stop RCE, Alexandria, VA 22313-1450, or by facsimile transmitted to fax no. 1-703- \_\_\_\_\_ to the U.S. Patent and Trademark Office on the date indicated below.

Name (Print/Type)		Registration No. (Attorney/Agent)	
Signature		Date	

**+** Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Commissioner for Patents P.O. Box 1450, Mail Stop RCE, Alexandria, VA 22313-1450.

06/01/2004 CCHAU1 00000131 503013 09607240

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02 FC:1201 86.00 DA

NYJD: 1525721.1



Express Mail No. EV452772275US

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

JUN 2 2004

Application of: Doyle et al.

Confirmation No.: 8182

Serial No.: 09/607,240

Art Unit: 1644

TECH CENTER 1600/2030

Filed: June 30, 2000

Examiner: Patrick J. Nolan

For: Promoting Whole Body Health

Attorney Docket No: 11537-004-999

**FEE TRANSMITTAL SHEET**

MAIL STOP RCE

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

The fee required to be filed with the accompanying amendment of even date herewith concerning the above-identified application has been estimated to be \$86.00.

The claim amendment fee has been estimated as shown below:

(Col. 1)		(Col. 2)		(Col. 3)		<input type="checkbox"/> SMALL ENTITY		<input checked="" type="checkbox"/> OTHER THAN A SMALL ENTITY	
CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID		PRESENT EXTRA	RATE	ADDIT. FEE	OR	RATE	ADDIT. FEE
TOTAL	8	MINUS	20	0	x 9	\$		x 18	\$ 0.00
INDEP.	4	MINUS	3	1	x 43	\$		x 86	\$ 86.00
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM						\$		\$	0.00
TOTAL						\$	OR	TOTAL	\$ 86.00

Please charge the required fee to Jones Day Deposit Account No. 503013. A copy of this sheet is enclosed.

Respectfully submitted,

Date: May 26, 2004

Laura A. Coruzzi 30,742  
Laura A. Coruzzi (Reg. No.)

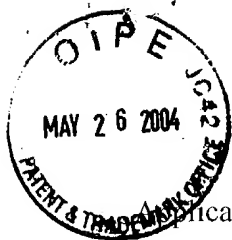
By: Eileen E. Falvey 46,097  
Eileen E. Falvey (Reg. No.)

**JONES DAY**

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Express Mail No. EV452772275US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Filed: June 30, 2000

Examiner: Patrick J. Nolan

For: Promoting Whole Body Health

Attorney Docket No: 11537-004-999

TELEPHONE 1-800-290-2900

**SUBMISSION UNDER 37 C.F.R. § 1.114**

MAIL STOP RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with Rule 114 of the Rules of Practice, please enter the following amendments and remarks. Applicants submit herewith: (1) a Request for Continued Examination, accompanied by the appropriate fees; and (2) an Amendment Fee Transmittal Sheet.

In the event that an additional fee is required, please charge Jones Day Deposit Account No. 503013. Applicants respectfully request that the amendments and remarks made herein be entered into the record of the instant application.

**Amendments to the Claims** begins on page 2 of this paper.

**Remarks** begin on page 4 of this paper.

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